

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

HAWAII

Conveyance of Remnant: Portion of Federal Aid Project No. 8-B, Hawaii Belt Road, Lava Flow Rehabilitation, Project No. ER 2(1), Lava Flow No.1 Section at Pahoeohoe 1-4, South Kona, Hawaii, abutting parcel Tax Map Key: (3) 8-7-3:7

REQUEST:

Authorization to convey subject property, designated as Portion of FAP No. 8-B, Hawaii Belt Road, Lava Flow Rehabilitation, Project No. ER 2(1), Lava Flow No.1 Section at Pahoeohoe 1-4, South Kona, Hawaii, Tax Map Key: (3) 8-7-3:7 Road as shown on Exhibit A to respective abutting owners by quitclaim deed.

LEGAL REFERENCE:

Section 171-52 and other applicable sections of Chapter 171, Hawaii Revised Statutes, as amended.

LOCATION:

The Property is a remnant of Hawaii Belt Road, Lava Flow Rehabilitation, Project No. ER 2(1), portion of South Kona Belt Road, Federal Aid Project No. 8B, District of South Kona, Territory of Hawaii, Territorial Highway Department. The subject remnant runs through the abutting parcel Tax Map Key: (3) 8-7-3:7.

AREA:

Approximately 6,756 square feet, more or less, as correctly delineated in the Department of Transportation, Highways Division, Right-of-Way Map as shown on Exhibit B, metes and bounds descriptions as shown on Exhibit C, and survey map as shown on Exhibit D (subject to confirmation by the Department of Transportation, Design Branch, Cadastral Section).

ZONING:

ITEM M-1

A-5A

LAND TITLE STATUS:

Ceded, DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES X NO

CURRENT USE STATUS:

Highway and maintenance purposes

COMMENCEMENT DATE:

Execution date of quitclaim deed.

COMPENSATION

Fair market value based on appraisal, to be determined by independent appraiser.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Not applicable. Subject lands are to be conveyed to abutting landowner(s) and will become privately owned land at that point. Chapter 343, HRS, would not apply to any future development on the Property, as no State lands would be involved.

REMARKS:

The Department of Transportation (DOT) has deemed the Property surplus to the needs of the Highways Division. The DOT has complied with all applicable statutory requirements and shall offer the Property to the respective abutting owners.

RECOMMENDATION:

That the Board authorizes the conveyance of the Property to the respective abutting owners for their private use, subject to the following:

1. The standard terms and conditions of the most current deed form;
2. Review and approval by the Department of the Attorney General;
3. Such other terms and conditions as may be prescribed by the DOT Director to best serve the interests of the State;

4. The Property shall be conveyed in an "as is" condition and the State make no warranty or representation about its condition or the presence of hazardous materials on, under or about the same; and
5. Consolidation requirement with the purchaser's abutting property.

Respectfully Submitted,

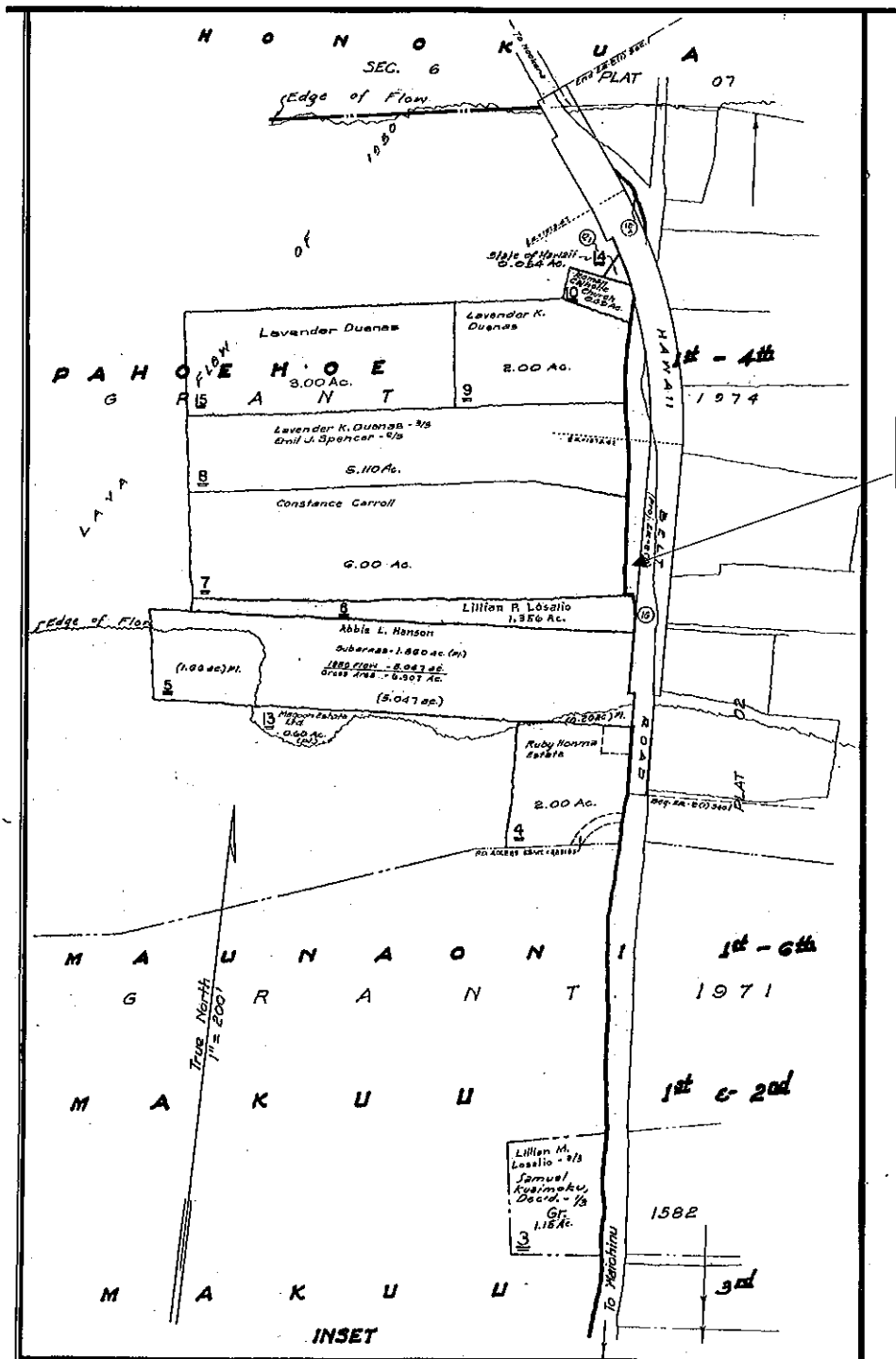


BRENNON T. MORIOKA, Director

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson



Subject Property

Dropped Parcel 11,

THIRD DIVISION		
ZONE	SEC.	PLAT
8	7	03
CONTAINING PARCELS		
SCALE: AS NOTED		

ADVANCE SHEET
SUBJECT TO CHANGE

PRINTED

EXHIBIT A

All of that certain parcel of land, being a portion of the land described in and covered by Royal Patent Grant 1974 To Lumilumi, being situate, lying and being at Pahoehe District of South Kona, Island and County of Hawaii, State of Hawaii, being a portion of a road remnant (F.A.P. No. 8-B), and containing an area of 0.155 acre or 6756 square feet, more or less, described as follows:

Beginning at a ½" pipe found in concrete at the Southwest corner of this parcel of land and being the Southeast corner of a 6.00 acre tract of land (TMK:(3)8-7-003:007), the coordinates of said point of beginning referred to Government Survey Triangulation Station "PALIANIH", being 14,687.14 feet South and 8430.35 feet East, and running by azimuths measured clockwise from true South:

- | | | |
|---------------|--------|---|
| 1. 169°59'40" | 251.97 | feet along the East line of said 6.00 acre tract (TMK(3)8-7-003:007) to a found ½" pipe in concrete at the Northeast corner of said 6.00 acre tract; |
| 2. 271°52'30" | 46.13 | feet upon and across said road remnant (F.A.P. No. 8-B) to a set nail in the West line of Hawaii Belt Road (Project No. ER 2(1)); |
| 3. 358°31'00" | 245.52 | feet along the West line of Hawaii Belt Road (Project No. ER 2(1)) to a set nail; |
| 4. 82°12'00" | 8.76 | feet upon and across said road remnant (F.A.P. No. 8-B) and along a 1.356 acres (TMK(3) 8-7-003:006) to the point of beginning and containing an area of 0.155 acre or 6,756 square feet, more or less. |

Description prepared by:

March 28th, 2007


Thomas G. Pattison
Licensed Professional Land Surveyor
Certificate No. 10743 Expires 4/30/2008

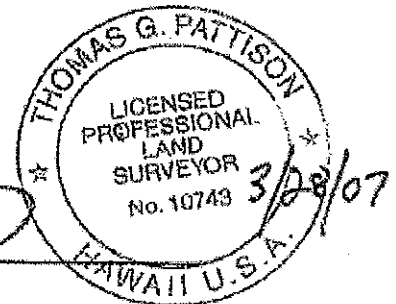
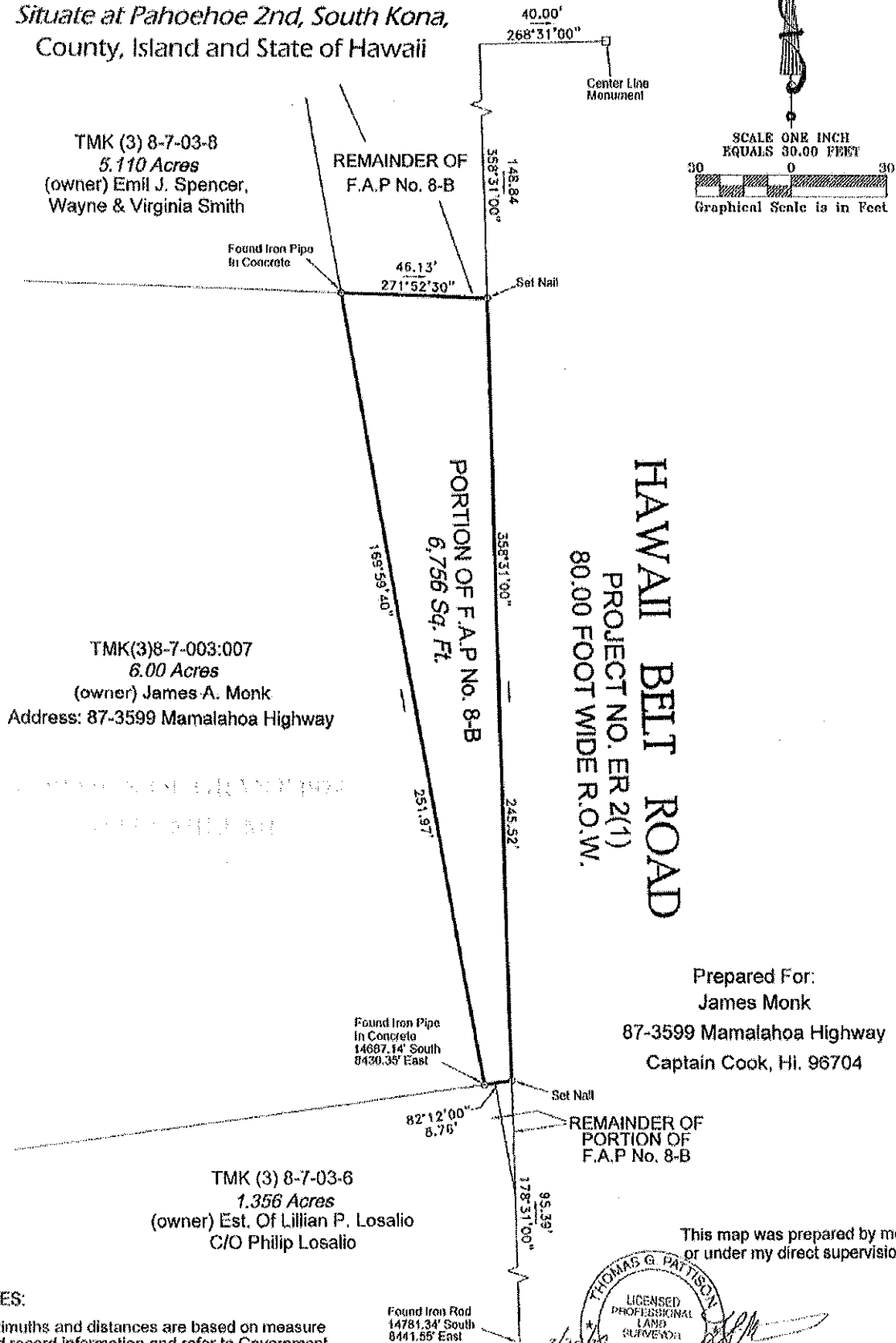


EXHIBIT C

**SURVEY MAP SHOWING PORTION OF
ROAD REMNANT (F. A. P. No. 8-B)
Being a Portion of Royal Grant 1974 to Lumilumi
Situate at Pahoeheo 2nd, South Kona,
County, Island and State of Hawaii**



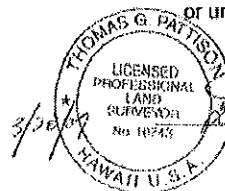
TRUE NORTH



SCALE ONE INCH
EQUALS 30.00 FEET
30 0 30
Graphical Scale is in Feet

Prepared For:
James Monk
87-3599 Mamalahoa Highway
Captain Cook, HI. 96704

This map was prepared by me
or under my direct supervision.



THOMAS G. PATTISON
Hawaii License No. 10743
March 28th, 2007 - Job 7133

NOTES:

1. Azimuths and distances are based on measure and record information and refer to Government Survey Triangulation Station "Palihihi" Δ .
2. Name(s) of owner(s) of adjoining parcels were taken from county tax records.

PATTISON LAND SURVEYING, INC.